

REMARKS

Claims 1-14 are pending in this application. Amendment of claims 1-11 and 13-14 are proposed herein.

Claims 1 and 8 are independent.

The arguments relating to the downloading of selected data as presented in the remarks submitted with the Amendment filed on December 21, 2004, are hereby withdrawn in their entirety. On review, these remarks appear to at best be confusing. As will be recognized by those skilled in the art, the authoring of sending data on the display unit of the transmitting terminal using data constituting parts of sending data selected from that stored in the server, necessarily would require a transmission, which might sometimes be referred to as "downloading", of the selected data from the server to the transmitting terminal.

The Examiner's indication of the allowability of claim 6 if rewritten in independent form and subject to overcoming the rejection of parent claim 1 under 35 U.S.C. §112, first paragraph, is noted with appreciation.

Claims 1-14 stand rejected under 35 U.S.C. §112, first paragraph, failing to comply with the written description requirement. The specification is also objected to as failing to provide proper antecedent basis for the claimed subject matter.

Claims 1 and 8 are amended to address the noted concerns underlying both the rejection of the claims and objection to the specification. Accordingly, it is respectfully requested that the rejection and objection be reconsidered and withdrawn.

Other amendments to claims 1 and 8 are also proposed.

Support for the other amendments to claims 1 and 8 can, for example, be found in the disclosure relating to Figure 1B, in 2nd and 3rd full paragraphs on page 6 of the present specification.

Reconsideration of the finality of the rejection is respectfully requested for the following reasons.

As previously presented, claim 1 required (i) that data constituting parts of sending data that are to be transmitted from the transmitting terminal to the receiving terminal, be stored on a server, (ii) that one or more portions of such data be selected by operating the transmitting terminal, and (iii) that this selected data be used for authoring sending data on a display unit of the transmitting terminal. Thus, what claim 1 previously required, and still requires, is that data stored at the server be selected by the transmitting terminal and that the selected data itself be used in authoring the sending data on a display unit of the transmitting terminal. Implicitly, this requires that the selected data itself be displayed on the display unit of the transmitting terminal.

It is respectfully submitted that both of the applied references are directed to systems in which the data used to actually author a message is not data selected from the server by the transmitting terminal. Rather, in both references, the images (in the case of Deluca) or the component objects from which a customized image is constructed (in the case of Walker) are stored on the transmitting terminal. Hence, the image data stored on the server is never displayed on the transmitting terminal for use in authoring sending data.

Walker's disclosure on page 3, lines 3-9, is cited as teaching the selection of one or more portions of the stored data by operating the transmitting terminal.

However, to the extent the described selection can be considered to correspond to the selection required in claim 1, according to Walker, the selected data must then be stored on the transmitting terminal.

Furthermore, to the extent that the image component object stored on the transmitting terminal is used to author sending data, that authored sending data is never stored at the Internet server. This is because, as disclosed by Walker on page 3, lines 9-14, only coded specification data such as shown in Figures 4 and 5, is ever sent from the transmitting terminal back to the server. That is, the authored sending data itself is never transmitted by the transmitting terminal to the Internet server or stored at the Internet server. Rather, only identifier codes which map to the applicable authored data is transmitted by the transmitting terminal.

Accordingly, it is respectfully submitted that express limitations of claim 1 have effectively be ignored, and accordingly the finality of the rejection is improper.

Additionally, claim 7 requires that the receiving terminal draw replying data by calling replying data from the Internet server and modifying a part of the sending data.

The rejection of claim 7 relies on Walker's disclosure on page 4, lines 2-10, and page 5, lines 20-28.

However, the reference disclosure on both pages 4 and 5 relates to the generation of original messages, and lacks any disclosure of the modification of a received message using data stored at a server to form a reply.

Accordingly, it is respectfully submitted that limitations of claim 7 have also effectively been ignored, and for this reason the finality of the rejection should also be withdrawn.

Claims 1-2, 5, 7-9, 12 and 14 stand rejected under 35 U.S.C. §103(a) as obvious over Walker, David et al (WO 9937105). Claims 3-4, 10-11 and 13 stand rejected under 35 U.S.C. §103(a) as obvious over Walker et al in view of Deluca, Joan (WO 97/19429). The rejections are respectfully traversed.

As discussed above, the applied prior art lacks any teaching or suggestion of the authoring of sending data on the display unit of the transmitting terminal by using selected data stored at an Internet server as required by claim 1, or the authoring of a selected portion of the data stored on an Internet server on a display unit of the transmitting terminal to form sending data as required by claim 8.

Also lacking is the storing of the authored sending data of claim 1, or the sending data authored from the selected portions of the stored data as required by claim 8, on the Internet server.

Rather, both Deluca, as described on page 1, line 20, through page 2, line 8, of Walker and Walker itself, which improves on Deluca by storing only image component objects, rather than full images, at the transmitting and receiving terminals, author sending data selected from the data stored on the transmitting device itself and store only a coded specification of the type, for example, shown in Figures 4 and 5 on the Internet server. The coded specification data is then transmitted from the Internet server to the receiving terminal, which maps the

coded specification to component objects stored at the receiving terminal to recreate the authored sending data.

However, as proposed herein, to still further distinguish over the applied prior art, it is proposed to amend claims 1 and 8 to require that the receiving terminal access the Internet server to obtain the sending data from the transmitting terminal. It is respectfully submitted that the applied prior art lacks any teaching or suggestion of accessing the Internet server from the receiving terminal to receive the authored data.

In rejecting claims 4 and 11, the Examiner points to Deluca's disclosure in page 9, lines 27-31, as describing the accessing of the Internet server from the receiving terminal to obtain the sending data.

However, the reference text on page 9 relates to the accessing of the graphics database 155' [not 500] (see Figure 14) which is an alternative database to database 155 of the receiving terminal shown in Figure 1. Thus, the relied upon text in Deluca does not relate to the accessing of an Internet server, but rather to the accessing of a database which resides on the receiving terminal itself.

Thus, the proposed additional limitation further distinguishes over the applied prior art.

Other features recited in the dependent claims also further independently distinguish over the applied prior art.

For example, as discussed above, the drawing of replying data as recited in claim 7, is neither taught nor suggested by the applied prior art.

Claim 14 requires the modifying of the sending data displayed on a display unit of the receiving terminal with a second portion of the data stored at the Internet server which is selected using the receiving terminal to form reply data. For reasons which are believed to be clear from the above, these features are also lacking in the applied prior art.

Claim 4 requires that an address having access to the sending data stored at the Internet server, be distributed and that the receiving terminal access this address to display the sending data. Claim 11 requires the transmission of an address having access to the stored sending data at the Internet server and that the receiving terminal access this address in order to display the sending data.

As discussed above with reference to the proposed amendments to claims 1 and 8, the reliance on Deluca's disclosure on page 9, lines 27-31, in rejecting these claims is mistaken, because what is disclosed in the reference text is the accessing of a database residing on the receiving terminal itself, and not on the Internet server.

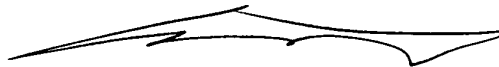
In rejecting claim 13, it is asserted that "Walker does disclose transmitting a telephone message to urge displaying of the sending data on the display unit of the receiving terminal". However, no reference is given as to where such a disclosure can be found within Walker. Having thoroughly reviewed Walker, as understood Walker lacks any such disclosure.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite

resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions, or suggestions arise in connection with the application.

To the extent necessary, applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No. 521.41456X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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